

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

ERIC LYLE WILLIAMS,	§	
Petitioner	§	
	§	
VS.	§	
	§	NO. 3:20-CV-3030-N
BOBBY LUMPKIN, Director	§	
TEXAS DEPARTMENT OF CRIMINAL	§	
JUSTICE, CORRECTIONAL	§	
INSTITUTIONS DIVISION,	§	
Respondent.	§	

**MOTION TO ALLOW WITNESS TO APPEAR VIA PHONE
OR ZOOM APPEARANCE**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES ERIC LYLE WILLIAMS, Petitioner, and submits this Motion to Allow Witness to Appear Via Phone or Zoom Appearance and would show the Court the following:

I.

This matter is to be heard on January 9, 2024, before the court. The issues raised pertain to the time and cost necessary to conduct a file review.

II.

Appointed counsel Bruce Anton requests authorization for witness Miles Brissett to testify by phone. Although he is located in Fort Worth, Texas, on the date of the hearing he will be in Colorado on assignment. Miles Brissette can be located at Gill & Brissette, 3663 Airport Freeway, Fort Worth, TX 76111, 817/803-6918.

III.

Miles Brissette is one of the persons in charge of storing the Eric Williams data for review. He can testify concerning ways to focus the discovery review to reduce the time and expense involved. His testimony is crucial to answering the court's inquiries regarding those issues.

IV.

Pursuant to Federal Rules of Civil Procedure 43a, for good cause and compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.

Given the expense in producing the witness, both for travel, hotel and meals, appearance by telephone or zoom appearance would be beneficial to the court and the Petitioner.

WHEREFORE Applicant asks that the Court allow the witness to appear by telephone or zoom appearance.

Respectfully submitted,

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Attorneys for Petitioner

CERTIFICATE OF SERVICE

Counsel served opposing counsel, Ali Nasser, Assistant Attorney General, Criminal Appeals Division, at the Office of Texas Attorney General email address, Ali.Nasser@oag.texas.gov, through this Court's ECF filing system on January 2, 2024.

/s/ Bruce Anton
BRUCE ANTON

CERTIFICATE OF CONFERENCE

Counsel conferred with opposing counsel, Ali Nasser, Assistant Attorney General, Criminal Appeals Division via email on December 30, 2023. Nasser has no opposition to the granting of this motion.

/s/ Bruce Anton
BRUCE ANTON